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09/542,343	04/05/2000	Yasuyuki Ogawa	35.C14412	6884

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FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112

EXAMINER

HENN, TIMOTHY J

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 11/13/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/542,343

Applicant(s)

OGAWA, YASUYUKI

Examiner

Timothy J Henn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 April 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 4-6, 8, 11-13, 15/8, 15/11-13 and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Anderson et al. (US 5,963,255).

#### **[claim 1]**

3. In regard to claim 1, note that Anderson et al. discloses an image processing apparatus which comprises a display means for displaying an image (Figure 4, Item 18; Column 7, Lines 1-7), recording means (Figure 4, Item 52), power supply means (Figure 1, Item 17; Figure 3), judging means for judging during write of image data in the recording medium if a power supply capacity becomes smaller than a predetermined first capacity (Column 5, Line 59 – Column 6, Line 16) and power supply control means for reducing the electric power to be supplied to a display or performing “power reduction techniques” when the supply capacity of the power supply becomes smaller than a predetermined first capacity (Column 7, Lines 23-59).

#### **[claim 4]**

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4. In regard to claim 4, note that Anderson et al. discloses an image processing apparatus which includes the ability to prohibit the function of camera accessories, such as the memory recording means, from functioning if the battery check determines that the power supply capacity is below a capacity level (Column 5, Line 59 – Column 6, Line 16).

**[claim 5]**

5. In regard to claim 5, note that Anderson et al. discloses an image processing apparatus wherein the power source is a battery (Column 5, Lines 29-42).

**[claim 6]**

6. In regard to claim 6, note that Anderson et al. discloses an image processing apparatus wherein the recording means is a recording medium detachable from an apparatus main body (Figure 4, Item 52; Column 6, Lines 33-62).

**[claims 8 and 11-13]**

7. Claims 8 and 11-13 are method claims corresponding to apparatus claims 1 and 4-6. Therefore, claims 8 and 11-13 are analyzed and rejected as previously discussed with respect to claims 1 and 4-6.

**[claim 15/8 and 15/11-13]**

8. In regard to claims 15/8 and 15/11-13, which depend on any one of the claims 8-14, it is noted that the system of Anderson et al. is disclosed as being able to be implemented by "program instructions executed within [a] computer" (Column 6, Lines 16-33).

**[claim 16]**

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9. In regard to claim 1, note that Anderson et al. discloses an image processing apparatus which comprises recording means (Figure 4, Item 52), power supply means (Figure 1, Item 17; Figure 3), judging means for judging during write of image data in the recording medium if a power supply capacity becomes smaller than a predetermined first capacity (Column 5, Line 59 – Column 6, Line 16) and power supply control means for reducing the electric power to be supplied to a display or performing “power reduction techniques” when the supply capacity of the power supply becomes smaller than a predetermined first capacity (Column 7, Lines 23-59).

**[claim 17]**

10. Claim 17 is method claim corresponding to apparatus claim 16. Therefore, claim 17 is analyzed and rejected as previously discussed with respect to claim 16.

**[claim 18]**

In regard to claim 18 it is noted that the system of Anderson et al. is disclosed as being able to be implemented by “program instructions executed within [a] computer” (Column 6, Lines 16-33).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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12. Claims 2, 9 and 15/9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US 5,963,255) in view of Nagata et al. (US 5,527,630).

**[claim 2]**

13. In regard to claim 2, Anderson et al. discloses an image processing apparatus, which meets the requirements set forth in claim 1 as discussed above. Also note that Anderson et al. discloses a plurality of voltage level thresholds for performing different "power reduction techniques" at each of the different levels. Therefore, it can be seen that Anderson et al. lacks a second capacity larger than the first capacity wherein a warning is displayed if power supply capacity becomes smaller than the second capacity. Nagata et al. discloses displaying an alarm (Figure 2) when a battery check fails to be above a threshold level. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a displayed alarm if the battery check of Anderson et al. is found to be below a second power capacity which is greater than a first power capacity in order to warn the user that the battery is becoming depleted.

**[claim 9]**

14. Claim 9 is method claim corresponding to apparatus claim 2. Therefore, claim 9 is analyzed and rejected as previously discussed with respect to claim 2.

**[claim 15/9]**

15. In regard to claim 15/9, which depends on any one of the claims 8-14, it is noted that the system of Anderson et al. is disclosed as being able to be implemented by

“program instructions executed within [a] computer” (Column 6, Lines 16-33).

16. Claims 3, 10 and 15/10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US 5,963,255) in view of Nagata et al. (US 5,527,630) as applied to claim 2 above, and further in view of Hatakenaka et al. (US 6,075,949).

**[claim 3]**

17. In regard to claim 3, Anderson et al. in view of Nagata et al. discloses an image processing apparatus, which meets the requirements set forth in claim 2 as discussed above. Therefore, it can be seen that Anderson et al. in view of Nagata et al. lacks a system wherein the warning means is display means different from said display means for displaying an image. Hatakenaka et al. teaches an image processing apparatus, which includes two display means. A first display means (Figure 2, Item 7; Column 3, Lines 16-37) is used for the display of image data and camera menus, while the second display means (Figure 2, Item 19; Column 3, Lines 11-15) is used to display information about the current state of the electronic camera or “warnings”. It should be noted that the first display means (Figure 2, Item 7) is a large LCD display that consumes a large amount of power (Column 6; Lines 30-37), which is undesirable to use during states of low battery life. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a dual display system such as that described in Hatakenaka et al. to avoid consuming large amounts of power during states of low battery life while not losing the ability to inform the user that the battery is in a state of

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low battery life.

**[claim 10]**

18. Claim 10 is method claim corresponding to apparatus claim 3. Therefore, claims 10 is analyzed and rejected as previously discussed with respect to claim 3.

**[claim 15/10]**

19. In regard to claim 15/10, which depends on any one of the claims 8-14, it is noted that the system of Anderson et al. is disclosed as being able to be implemented by "program instructions executed within [a] computer" (Column 6, Lines 16-33).

20. Claims 7, 14 and 15/14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. (US 5,963,255) in view of Hatakenaka et al. (US 6,075,949).

**[claim 7]**

21. In regard to claim 7, note that Anderson et al. discloses an image processing apparatus, which meets the requirements set forth in claim 1 as discussed above. Also note that Anderson et al. discloses using a power supply control means to supply power to various portions of an image processing apparatus such as an input/output device (Figure 4, Item 60). Therefore, it can be seen that Anderson et al. lacks output means for outputting the image data or the data other than the image to an external apparatus. Hatakenaka et al. teaches an image processing apparatus, which includes image data output means (Figure 3, Item 8) to output image data to an external printer (Figure 3, Item 31) for the purposes of printing an image (Column 5, Lines 14-23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use



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the image data output means of Hatakenaka et al. to allow images from the image processing apparatus of Anderson et al. to be printed to an external printer.

**[claim 14]**

22. Claims 14 is a method claim corresponding to apparatus claim 7. Therefore, claim 14 is analyzed and rejected as previously discussed with respect to claim 7.

**[claim 15/14]**

23. In regard to claim 15/14, which depends on any one of the claims 8-14, it is noted that the system of Anderson et al. is disclosed as being able to be implemented by "program instructions executed within [a] computer" (Column 6, Lines 16-33).

***Conclusion***

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following prior art further shows the current state of the art in power management systems in image processing apparatus.

i. Ogawa US 6,031,999

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J Henn whose telephone number is (703) 305-8327. The examiner can normally be reached on M-F 7:30 AM - 5:00 PM, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929. The fax phone

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number for the organization where this application or proceeding is assigned is (703)  
872-9306.

Any inquiry of a general nature or relating to the status of this application or  
proceeding should be directed to the receptionist whose telephone number is (703) 305-  
3900.

TJH  
11/5/2003



NGOC-YEN VU  
PRIMARY EXAMINER